

REPORT - PLANNING COMMISSION MEETING
April 28, 2005

Project Name and Number: GREEN CHERRY COMMON (PLN2005-00127)

Applicant: J.P. Mobasher – 3 Way Investments LLC

Proposal: To consider Tentative Tract Map 7451, a Private Street and a Preliminary Grading Plan for a previously approved 13-unit townhouse project.

Recommended Action: Approve, based on Findings and subject to conditions.

Location: 38723 Cherry Lane in the Central Plan Area.

APN: 507-0798-003-00

Area: 0.77 acres (34,080 square feet)

Owner: Bill Aboumrad

Agent of Applicant: J.P. Mobasher

Consultant(s): J.P. Mobasher, Remax East Bay Group
George Meier, George Meier & Associates, Architects
Al Pascual, Al Pascual & Associates, Civil Engineer
Charly Wilson, Wilson Associates, Landscape Architect
Ben Rahimi, American Soil Testing Inc., Soils Engineer

Environmental Review: Categorically exempt per CEQA Section 15332, In-Fill Development Projects

Existing General Plan: Medium Density Residential, 15-18 dwelling units per acre

Existing Zoning: P-2004-78, Planned District

Existing Land Use: One single-family detached residence

Public Hearing Notice: Public hearing notification is applicable. Two hundred and seventy six (276) notices were mailed to owners and occupants of property within a minimum radius of 300 feet of the site on the following streets: Cherry Lane, Cherry Manor Court, Saddleback Terrace, Stillwater Common, Stonington Terrace, Ridge View Terrace, Spetti Drive and Rosegate Terrace. Notices to owners and occupants were mailed on April 18, 2005. A Public Hearing Notice was delivered to The Argus newspaper on April 11, 2005 to be published by April 14, 2005.

Background and Previous Actions: On December 14, 2004, City Council approved the proposal to rezone the site from Garden Apartment Residence District (R-G-29), to a Preliminary and Precise Planned District (P-2004-78) for the development of 13 two-story, split level, attached, single-family townhouses on a 0.77-acre site with a total of 33 parking spaces and an open space ratio of 47%.

Project Description: The applicant is requesting approval of Tentative Tract Map 7451, a Private Street and a Preliminary Grading Plan to allow the subdivision for development of a previously approved 13-unit for-sale single-family townhouse project. The development approved by the City Council on December 14, 2004, includes one Below Market Rate (BMR) unit. The proposed subdivision of this 0.77-acre property is consistent with the approved Planned District Precise Plan. The approved project also includes demolition of an existing single-family residence and accessory structures. This proposed subdivision would create 14 lots for development of 13 townhouses and one (1) common lot for associated landscaping and circulation. The townhouse units will be arranged in three building clusters: Building A with 4

units; Building B with 5 units; and Building C with 4 units. Units will range from 1,264 to 1,607 square feet, not including garages and private deck space.

The proposed project includes the construction of a new private street into the project site off of Cherry Lane. The common lot, referred to as Parcel A on the subdivision map is designated as Public Utility Easements (PUEs), Private Storm Drain Easements (PSDEs) and Common Area.

Project Analysis:

General Plan Conformance: The existing General Plan land use designation for the project site is Medium Density Residential, 15-18 dwelling units per acre. The proposed project, at 13 units on a 0.77 acre site provide a density of 16.88 units /acre and is consistent with the existing General Plan land use designation for the site. The proposal is slightly above the required mid-point density of 16.5 units/acre. The proposal supports the policies and goals of the Land Use and Housing Elements of the General Plan by providing new housing opportunities through redevelopment of underutilized parcels close to the BART station while also preserving the character of the City's existing single-family residential neighborhoods (Policy LU1.9 and Goal H 1). The proposed project is consistent with General Plan, because the project meets the General Plan Housing and Land Use goals and policies as follows:

GOAL H 2: High quality and well designed new housing of all types throughout the City.

Analysis: This project will be of a high quality design and construction, and meet this goal. The applicant is proposing professionally designed, high quality architecture, as previously approved by City Council, which is both appropriate for and responds to surrounding development.

GOAL H 3: Housing affordable and appropriate for a variety of Fremont households at all economic levels throughout the City.

Analysis: Attached single-family townhouses of this size provide more affordability in for-sale housing units in Fremont. The applicant is also providing one below market rate unit.

Policy LU 1.11: Appropriate transitions shall be encouraged between higher density residential areas and lower density areas, and between commercial areas and lower density residential areas. Transitions can be composed of streets, setbacks, open space, landscape and site treatments, building design and/or other techniques.

Analysis: Transitions between the adjacent residential developments are accomplished by the separation of Cherry Lane. Additionally, the architecture and design of the proposed development, as well as the general size (less than three stories), height, and massing, is consistent with lower density developments across the street. The project appropriately transitions between existing developments on south, west and north by providing adequate building separation, staggered setbacks and appropriate landscaping.

Policy LU 1.23: A variety of unit types and sizes shall be encouraged within each multi-family project.

Analysis: The applicant is proposing a variety of unit types to comply with this policy. As indicated earlier the sizes of the units range between 1,264 square feet and 1,607 square feet.

Policy LU 1.24: Multi-family housing... shall be designed to accommodate the needs of families and children.

Analysis: This project incorporates three unique floor plans of varying sizes as well as an affordable component to allow it to meet these goals and policies. The proposed units include multiple bedrooms, which will help accommodate the potential needs of families and children. To accommodate the developments needs, the proposal includes a "public area" or common open space (open space for the use of residents of Green Cherry Commons).

Circulation/Access Analysis: The project site is located on the southwest side of a T-intersection at Cherry Lane and Cherry Manor Court. As part of this map request, a new driveway is proposed on Cherry Lane, about sixty-five feet northwest of Cherry Manor Court. Pedestrian access to the site will be provided by new public sidewalk along Cherry Lane and a connection to the on-site walkway in the southeastern corner.

On-site vehicle circulation is provided by a private vehicle access way (PVAW), a type of private street used for townhouse projects. The tentative map, grading plan, and private street exhibits conform to the previously approved Preliminary and Precise Panned District, P-2004-78.

Street Improvements: Cherry Lane is the northeast boundary of the project site. Cherry Lane is designated a residential collector street in the General Plan and has been fully improved both north and south of the project site. In accordance with the Subdivision Ordinance, the subdivider shall dedicate right-of-way and construct complete street improvements across the project frontage. The following outlines the street improvement and right-of-way dedications for the project.

- Cherry Lane: Cherry Lane is a collector street with a planned right-of-way of sixty feet and pavement width of forty feet. The required right-of-way dedication is approximately twenty-feet. Street improvements shall include, but are not limited to, installation of pavement, curb, gutter, sidewalk, landscaping, street trees, and utility services.
- Private Vehicle Access Ways: The developer is responsible for construction of the private vehicle access ways within the project. The private vehicle access ways are a type of private street. A homeowners association or other acceptable mechanism will be established for the long-term ownership and maintenance of the common facilities within the townhouse development, including the private vehicle access ways.

Public Service Easement: The developer shall dedicate a minimum six-foot wide public service easement along the Cherry Lane frontage.

Grading/Topography: The project site is predominantly flat and currently developed with an existing house, and two detached accessory structures, pavement, and existing trees and stumps. The existing buildings, pavement, and trees will be removed with this development. On-site grading for the project includes installation of retaining walls along the rear and side boundaries. Retaining wall heights vary up to a maximum height of 2.5 feet along the rear property line. The project civil engineer estimates total grading to be 1,057 cubic yards (97 cubic yards of cut and 960 cubic yards of fill). Because the estimated grading quantities exceed 1,000 cubic yards, a preliminary grading plan application has been submitted with the tentative map application.

Geologic Hazards: The project site has been identified as an area of potential liquefaction on the Seismic Hazard Zones, Niles Quadrangle map, released by the State Geologist on October 19, 2004. In accordance with the Seismic Hazard Mapping Act, the City has required the applicant to provide a geotechnical report defining and delineating any seismic hazard.

The project applicant submitted a report by Geotechnical Engineering Incorporated, dated March 28, 2005. The report was an update to a previous report by American Soil Testing Incorporated, dated October 13, 2003. The report concluded that the site has potential for minor liquefaction induced settlements on this site in the event of a major seismic event combined with an elevation in ground water. The project site is geotechnically suitable for the proposed subdivision, provided that the geotechnical recommendations within the report are implemented during construction. The report was reviewed and approved by the City's geotechnical peer review consultant and filed with the State Geologist. The geotechnical recommendations in the approved report will be incorporated into the project design and construction.

Urban Runoff Clean Water Program: The Federal Clean Water Act of 1972 and Water Quality Act (1987) require localities throughout the nation to obtain a National Pollutant Discharge Elimination System permit (NPDES) in order to discharge storm water into public waterways such as creeks, rivers, channels and bays. The applicant will comply with the City's Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the State's Water Quality Control Board.

Waste Management: This project involves residential construction and shall be subject to the provisions of the California Integrated Waste Management Act of 1989 (AB939). The Act requires that 50% of the waste generated in the City of

Fremont be diverted from landfill sites by the year 2000. Additionally, the project is subject to the City's Source Reduction and Recycling Element (1992), an Integrated Waste Management Ordinance (1995), and a Commercial/Industrial Recycling Plan (1997). These documents require that any new project for which a building permit application is submitted to include adequate, accessible, and convenient areas for collecting and loading trash and recyclable materials. The applicant is proposing a trash enclosure to cater to the needs of the residents. BFI Waste Services has approved a site plan indicating the proposed locations of the dumpsters.

Environmental Analysis: This project is categorically exempt from the California Environmental Quality Act per CEQA Guideline Section 15332 for In-fill Development Projects.

Enclosures:	Exhibit "A"	Vesting Tentative Tract Map 7451
	Exhibit "B"	Findings and Conditions of Approval, Vesting Tentative Tract Map 7451
	Exhibit "C"	Preliminary Grading Plan
	Exhibit "D"	Findings and Conditions of Approval, Preliminary Grading Plan

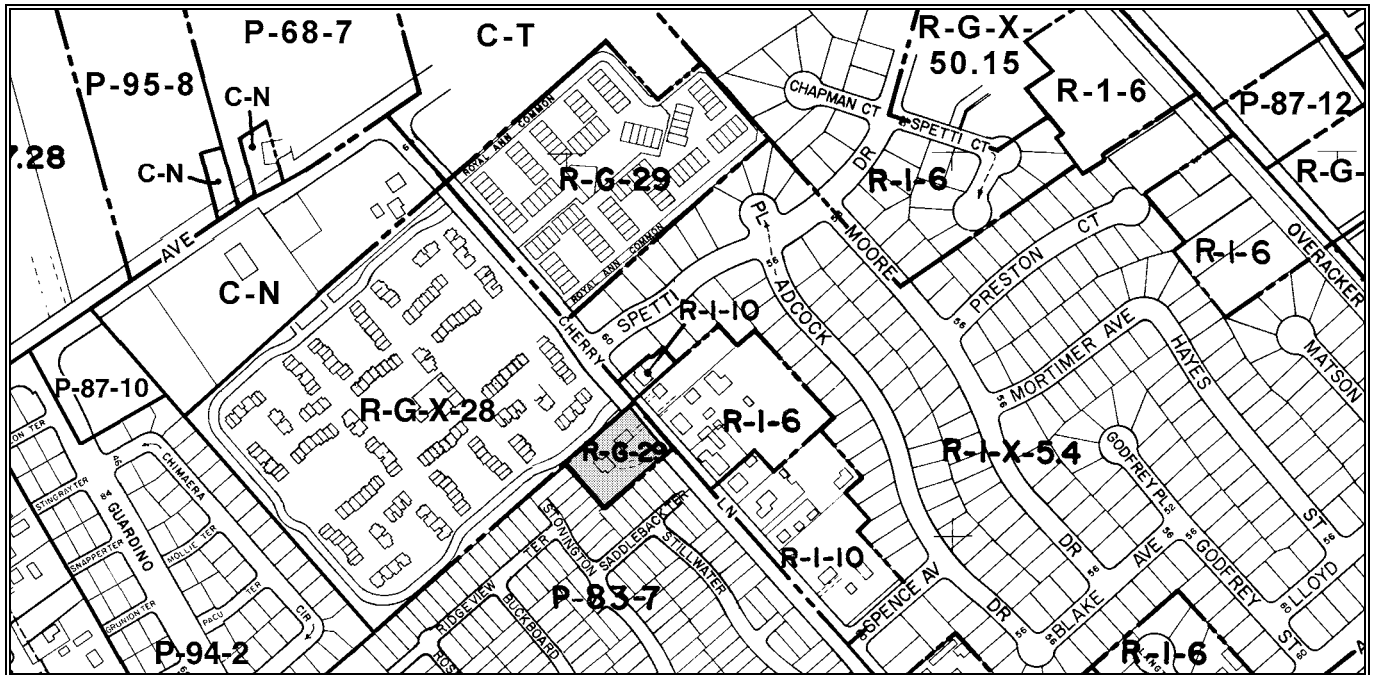
Informational: Preliminary and Precise Site Plan, Floor Plans, Elevations and Landscape Plan for P-2004-78

Exhibits:	Exhibit "A"	Vesting Tentative Tract Map 7451
	Exhibit "B"	Findings and Conditions of Approval, Vesting Tentative Tract Map 7451
	Exhibit "C"	Preliminary Grading Plan
	Exhibit "D"	Findings and Conditions of Approval, Preliminary Grading Plan

Recommended Actions:

1. Hold public hearing.
2. Find that the project is exempt from CEQA pursuant to Section 15332. In-fill Development Project.
3. Find PLN2005-00127 is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Land Use and Housing Chapters as enumerated within the staff report.
4. Find PLN2005-00127 per Exhibit "A" (Vesting Tentative Tract Map 7451); Exhibit "B" (Findings and Conditions of Approval, Vesting Tentative Tract Map 7451); Exhibit "C" (Preliminary Grading Plan); and Exhibit "D" (Findings and Conditions of Approval, Preliminary Grading Plan) fulfills the applicable requirements set forth in the Fremont Municipal Code.
5. Approve PLN2005-00127 in conformance with Exhibit "A" (Vesting Tentative Tract Map 7451); Exhibit "C" (Preliminary Grading Plan); subject to Findings and Conditions on Exhibit "B" and "D".

Existing Zoning
Shaded Area represents the Project Site



Existing General Plan

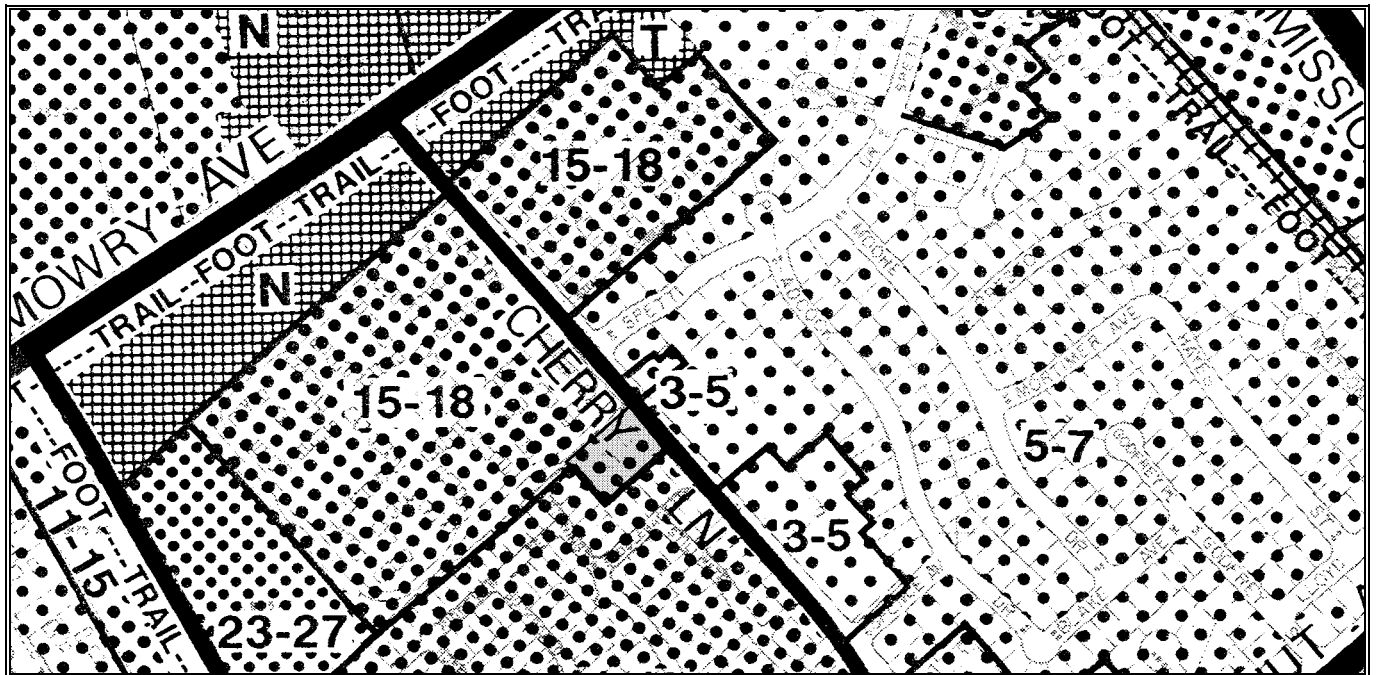


EXHIBIT "B"
Findings and Conditions of Approval
Vesting Tentative Tract Map 7451 and Private Street (PLN2005-00127)
Green Cherry Common – 38723 Cherry Lane

FINDINGS

1. The proposed map satisfies the requirements and conditions imposed by the Subdivision Map Act and the City of Fremont Subdivision Ordinance, because the procedural requirements of the Map Act are being followed and the proposed lots conform to the standards as outlined in the P-2004-78 zoning district.
2. The proposed subdivision, together with the provisions of its design and improvement, is consistent with the General Plan because the proposed development conforms to the requirements of the General Plan land use designation for the site.
3. The site is physically suitable for the type and proposed density of the development, because it is surrounded by other residential uses and is designed to be compatible with its surroundings.
4. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, because of the design and location of the development on a site that has been used as a residence.
5. The design of the subdivision and the type of improvements are not likely to cause serious public health problems, because the review process of the subdivision has taken those concerns into consideration and has found the proposal in conformance with the City of Fremont's policies.
6. The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. Acquisition of any new easements will be required prior to the acceptance of the Final Map for this project.
7. The most logical development of the land requires private street access because the physical character of the project is more amenable to the less intense right of way required of a private street.
8. The development of the land is well defined because the design of the subdivision and proposed improvements are in conformance with the City of Fremont's applicable codes, policies and approved Planned District zoning.

Tentative Tract Map Conditions

1. The approval of PLN2005-00127 shall conform to Exhibit "A" (Vesting Tentative Tract Map 7451 and Private Street) and all the conditions of approval set forth herein, and all conditions of approval of Planned District, P-2004-78.
2. Approval of this Vesting Tentative Map shall expire 24 months after approval according to the provisions of the State Subdivision Map Act and any amendments thereto and applicable provisions of the Fremont Municipal Code consistent with the State Subdivision Map Act.
3. The proposed street name, Green Cherry Common, is subject to review, modification, and approval by the City prior to final map approval.
4. The developer shall comply with the City's Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the State's Water Quality Control Board.
5. In accordance with the Alameda Countywide NPDES Municipal Stormwater Permit, Order R2-2003-0021, NPDES Permit No. CAS0029831, the property owners shall enter into a maintenance agreement for the long-term operation and maintenance of on-site stormwater treatment measures. The agreement shall run with the land and be recorded at the same time that the final map is recorded.

6. The streetlight plan and joint trench plan shall be submitted by the applicant with the first subdivision plan check for the street improvement plans and final map. The final streetlight plan and joint trench plan shall be completed and approved prior to final map approval.
7. The developer shall request P.G. & E. to commence with the design of the utility underground work for the proposed development after the Planning Commission's approval of Vesting Tentative Tract Map 7451.
8. Precise geometry and location of all driveways shall be subject to approval of the City Engineer.
9. In accordance with Section 66474.9(b) of the Subdivision Map Act, the subdivider shall defend, indemnify, and hold harmless the City of Fremont or its agents, officers, or employees from any claim, action, or proceeding against the City of Fremont or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City of Fremont, advisory agency, appeal board, or legislative body concerning a subdivision, which action is brought within the time period provided for in Section 66499.37 of the Government Code.
10. The City of Fremont shall promptly notify the applicant of any claim, action, or proceeding to attack, set aside, void, or annul, its approval and shall cooperate fully in the defense thereof.
11. All new utility service connections, including electrical and communications, shall be installed underground within appropriate public service or public utility easements.
12. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prohibit the entry of pollutants into storm water runoff. The plans will also include storm water measures for operation and maintenance of the project.
13. The developer is responsible for ensuring that all contractors and subcontractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.
14. The developer, at time of initial sale, shall provide to the buyer information on good housekeeping of hazardous products, i.e. proper use and disposal, prohibited discharge practices, etc. Informational materials will be furnished by the City.
15. A home owners association or other mechanism acceptable to the City is to be established, formed, and is to covenant and be responsible for the maintenance of all commonly owned facilities, which are not maintained by the public utility agency; and the HOA shall specifically be required to own, maintain, and keep open Parcel A. The developer is responsible for maintenance for all facilities during the subdivision warranty period.
16. Review of the vesting tentative tract map by the Fire Department relative to local and State Fire code is based on the material submitted. Therefore, if the map is revised prior to final submittal, the Fire Marshal should be contacted so that any changes may be properly reviewed and evaluated.
17. The applicant shall provide all fencing details, including but not limited to rear yard, side yard, front yard and any other type of fencing proposed within the subdivision to be reviewed and approved through the Development Organization Review process.
18. Prior to the removal of any existing structures, the applicant shall obtain a demolition permit from the City.
19. The project, as presented, meets the City's inclusionary zoning requirements as the applicant intends to meet the requirements of the Inclusionary Housing Ordinance through the development of one (1) Below Market Rate (BMR) unit. The applicant shall enter into a Master Developer Agreement with regards to the development of the one (1) BMR unit prior to recordation of the final map for Tract 7451.

Private Streets Conditions

20. The private streets shall conform with staff amended Exhibit "A", attached hereto and made a part hereof and all conditions of approval of Vesting Tentative Map 7451 (Exhibit "A").
21. This Private Street (PLN2005-00127) is being conditionally approved based on the accuracy of the information shown on Exhibit "A" and submitted with the Private Street application. If any of the information is shown to be inaccurate subsequent to approval of the Private Street by the City, such inaccuracy may be cause for invalidating this approval.
22. The private street names shown on Exhibit "A" are subject to modification prior to final map approval. If needed, the developer shall work with staff to provide different street names, subject to staff review and approval.
23. A Private Vehicle Access Way (PVAW) and a Public Utility Easement (PUE) are to be established over the entire private street right-of-way. The PUE dedication statement on the final map is to recite that the PUE is available for, but not limited to, the installation, access and maintenance of sanitary and storm sewers, water, electrical and communication facilities.
24. Access considerations for the on-site circulation system require space to be reserved for the movement of fire-fighting and emergency vehicles for the protection of both private property and the public. Dedication of emergency vehicle access easements (E.V.A.E.) on the final map over the private street right-of-way will be required. The easement geometry shall be subject to the approval of the City Engineer.
25. Fire hydrants are to be located along the private street as determined by the Fremont Fire Department.
26. Deed restrictions are to be recorded concurrently with the final map to create a mandatory Home Owner's Association or any other mechanism acceptable to the City for those lots with private street frontage which is to covenant and be responsible for the following:
 - a. Maintenance of the facilities in the private street which are not maintained by a public utility agency, except all utility work resulting from backfill failure is to be the responsibility of the Home Owner's Association.
 - b. Payment of the water and private street lighting (maintenance and energy) bills.
 - c. Maintenance, repair, replacement and removal of blockages in all building sewers. Maintenance of the building sewers includes repair of any trench failures and/or trench surface material failures.
 - d. Maintenance and "knock-down" repair of fire hydrants and water facilities along the private street is to be done by the utility agency at the expense of the Home Owner's Association. The Home Owner's Association is to be responsible for repainting any fire hydrants along the private street.
27. Each buyer is to sign an acknowledgment that he/she has read the constitution and bylaws of the Home Owner's Association and the conditions, covenants and restrictions applying to the development.
28. Private street grading and drainage shall be done according to public street standards, subject to review and approval by the City Engineer prior to final map approval.
29. Pursuant to FMC Section 8-1522 and 8-3107, the subdivider is to improve prior to final map approval or agree to improve within one year of final map approval, the private street frontage of the map. No permanent improvement work is to commence until improvement plans and profiles have been approved by the City Engineer. Improvements are to be installed to permanent line and grade in accordance with the City's subdivision improvement standards and to the satisfaction of the City Engineer. The minimum improvements which the subdivider is normally required to construct or agree to construct prior to acceptance and approval of the final map by the City are as set forth in the City Development Policy for Private Vehicle Access ways. Improvements to be constructed include:

- a. Curb and gutter
 - b. Driveways
 - c. Street paving
 - d. Private Street monuments
 - e. Electroliers (wired underground)
 - f. Drainage facilities
 - g. Signs
 - h. Fire hydrants
30. The private street pavement shall be designed on the basis of a traffic index using predicted traffic generation and a twenty year pavement design life. In no case shall the traffic index be less than 5.5. Asphalt concrete surfacing to be treated with a seal coat of the type and amount required by the City Engineer. Pavement design sections shall be subject to approval of the City Engineer.
31. Safety lighting is to be provided on the private street. Lights shall utilize "vandal resistant" enclosures and shall have sufficient power and spacing to provide an average maintained foot-candle level of 0.12.
32. A signpost, to which is attached a sign having an area of at least fifteen inches by twenty-one inches, is to be installed at or near the private street entrance. The name of the private street is to be placed on this sign in clearly legible four-inch letters. The sign is to have painted, in at least one-inch letters, "Private Property. Not dedicated for public use."
33. Approval of Private Street (PLN2005-00127) shall become effective upon final map approval.

SUBDIVIDER PLEASE NOTE:

The fees, dedications, reservations and/or other exactions imposed on this project are those listed in the foregoing conditions of this tentative tract map approval. The subdivider is hereby notified that the 90-day period in which the subdivider may protest these fees, dedications, reservations and other exactions pursuant to Government Code Section 66020(a) begins on the date of approval of this tentative tract map. If the subdivider fails to file a protest within this 90-day period complying with all the requirements of Government Code Section 66020, the subdivider will be legally barred from later challenging such actions.

EXHIBIT "D"
Findings and Conditions of Approval
Preliminary Grading Plan – (PLN2005-00127)
Green Cherry Common – 38723 Cherry Lane

Findings for Preliminary Grading Plan

1. The proposed project described in the application will not have an appearance, due to the grading, excavation, or fill, substantially and negatively different from the existing natural appearance.
2. The proposed project described in the application will not result in geologic or topographic instability on or near the site. Based on geologic information available, the site is not in a special studies zone. There are no fault zones or evidence of landslides on the site which might be aggravated by the grading of the development. A soil study will be done and submitted to the City with the Final Map.
3. The proposed project described in the application will not endanger public sewers, storm drains, watercourses, streets, street improvements, or other property; will not interfere with existing drainage courses; and will not result in debris being deposited on any public way. The adequacy of the existing sewer, water and drainage facilities proposed for the project has been reviewed by the different utility agencies. The proposed development will not alter or obstruct the natural flow from abutting properties or divert drainage from its natural watershed. The applicant will be required to submit a plan to control erosion and siltation during and after construction for review and approval by the City Engineer.
4. Conformity, where applicable, to special concerns relating to the adopted Seismic Safety Element and concerns shown on maps issued by the U.S. Geological Survey and the California Division of Mines and Geology shall be accomplished at time of final map. Supplemental data and substantiation of conclusions may be required by the public works director upon city review of the reports
5. The proposed project described in the application will not unacceptably affect the health, safety, and or welfare of adjacent residents or landowners, nor the citizens of Fremont.

Conditions of Approval:

1. The project shall conform with staff amended Exhibit "C" (Preliminary Grading Plan), all conditions of approval set forth herein, and all conditions of approval of Vesting Tentative Tract Map 7451 (PLN2005-00127) and Planned District, P-2004-78.
2. Approval of this Preliminary Grading Plan does not extend to the final detailed design approval necessary to be accomplished in connection with the development plans.
3. Approval of this Preliminary Grading Plan shall run concurrent with the approval and subsequent extensions of Vesting Tentative Tract Map 7451 (PLN2005-00127). Approval of this Preliminary Grading Plan shall terminate upon the expiration of Vesting Tentative Tract Map 7451.
4. A grading permit issued for the project shall be in accordance with the Grading, Erosion, and Sediment Control Ordinance (Chapter 4, Title VIII of the Municipal Code). Grading shall be subject to the approval of the City Engineer.
5. The applicant shall provide for a functional system to control erosion and siltation during and after grading subject to review and approval by the City Engineer or Alameda County Flood Control and Water Conservation District. An erosion and sediment control plan shall be included as part of the grading plans.
6. Site grading shall not obstruct natural flow from abutting properties or divert drainage from its natural watershed.
7. All cut and fill slopes shall be graded to a maximum slope of three horizontal to one vertical (3:1).

8. A disposal site for the off-site haul dirt materials or source for the import fill shall be approved by the City prior to the approval of the grading permit. The off-site haul truck route for the excess dirt or import fill shall be subject to the approval of the City Engineer.
9. Prior to issuance of a grading permit for land disturbance greater than one acre, the developer is to provide evidence that a Notice of Intent has been filed and with the State of California Water Resources Control Board. Evidence shall include the WDID number assigned by the State. The developer is responsible for insuring that all contractors are aware of all storm water quality measures contained in the Storm Water Pollution Prevention Plan (SWPPP).
10. The applicant shall submit a detailed soils report, including recommendations regarding pavement structural sections, prepared by a qualified soils engineer registered by the State of California.
11. Grading operations shall be in accordance with recommendations contained in the required soils report and shall be supervised by an engineer registered in the State of California to do such work.
12. Proposed curb elevations for the street system shall not be less than 1.25 feet above the hydraulic grade line (design water surface) and at no point should the curb grade be below the energy grade line. On-site grades are to be a minimum of 0.75 feet above the hydraulic grade line.
13. The project storm drain design shall be subject to review and approval of both the City Engineer and the Alameda County Flood Control and Water Conservation District. The storm drain design shall incorporate provisions to prevent increased inundation of downstream properties within the 100-year floodplain. Increased inundation includes a rise in the base flood elevations or an increase in the land area within the 100-year floodplain.
14. Minimum drainage slope on lot pads shall be 1.5%.
15. The applicant shall investigate and remedy all known soil, and if needed, groundwater contamination (if any) prior to issuance of building permits. This may include development of a Human Health Risk Assessment (HHRA) approved by the Department of Toxic Substances Control (DTSC) and or the Regional Water Quality Control Board (RWQCB).